IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FOURTH DAY OF AUGUST

TWO THOUSAND AND SEVEN

PRESENT

THE HON'BLE MR. JUSTICE GODA RAGHURAM

AND

THE HON'BLE MR. JUSTICE S.ANANDA REDDY

WRIT PETITION No. 21951 of 2006

Between:

N. Avula Reddy. **..... PETITIONER**

AND

The District Judge, Kadapa & another

.....RESPONDENTS

WRIT PETITION No. 22420 of 2006

Between:

K. Subbaiah & two others **..... PETITIONERS**

AND

The District Judge, Kadapa & another

.....RESPONDENTS

WRIT PETITION No. 23458 of 2006

Between:

M. Savithramma. **..... PETITIONER**

AND

The District Judge, Kadapa & another

.....RESPONDENTS

THE HON'BLE MR. JUSTICE GODA RAGHURAM
AND
THE HON'BLE MR. JUSTICE S.ANANDA REDDY

WRIT PETITION Nos. 21951, 22420 & 23458 of 2006

COMMON ORDER: (Per Hon'ble Mr. Justice Goda Raghuram)

The appointing disciplinary authority, the 1st respondent by several orders dated 01.06.2006 imposed on the petitioners the penalty of dismissal from service for the recorded reason that the common charge of misconduct against them of having submitted false educational certificates for securing employment as attenders in the District Judicial Unit, has been established.

2. In fact, it was not disputed in the disciplinary enquiry, but was admitted, as has been admitted herein, that fraudulent certificates were produced by them for securing employment, as charged. There is no challenge to the process of departmental enquiry at all. It is established that the impugned order dated 01.06.2006 has been passed after a due process of departmental enquiry. The petitioners unsuccessfully appealed there against to the 2nd respondent. The appellate

authority by the orders dated 19.9.2006, partly allowed the appeals and modified the orders of dismissal to one of removal from service.

2. The petitioners in these writ petitions were all appointed initially as part-time masalchies during the years 1982-1999 on several dates. They were later appointed as full-time masalchies and by the orders of the 1st respondent as attenders, on having produced certificates disclosing that they possessed the qualification of passing 7th class or higher. On a complaint received, departmental enquiries were initiated and thereat it was duly established (and in the light of the admissions of several petitioners) that false certificates were produced. The 1st respondent, the primary authority, held that since these government servants had produced false certificates for securing employment in the last grade service, they cannot be continued in service. Therefore, the punishment of dismissal was inflicted. On a lenient view taken in exercise of appellate consideration, the 2nd respondent modified the punishment of dismissal from service to one of removal from service.

3. Sri Gangaiah Naidu, learned Senior Counsel appearing for the petitioners strenuously contends that since the petitioners are last grade employees, and since their initial

appointment as Masalchies was valid and within the qualification prescribed, this court should exercise its discretion and modify the punishment of removal from service so as to enable them to continue in service at least in their initial posts as Masalchies.

4. This contention does not commend acceptance by this court. Production of false certificate for securing public employment is an integrity issue. Integrity in public service is not a negotiable value. There are no merits.

5. The writ petitions are dismissed.

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Goda Raghuram, J.

Dt. 24…08…2007

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S. Ananda Reddy, J.

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THE HON'BLE MR. JUSTICE GODA RAGHURAM
AND
THE HON'BLE MR. JUSTICE S.ANANDA REDDY

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